REMARKS

I. STATUS OF THE CLAIMS

Claim 1-17 were pending at the time of the Action with claims 18-29 withdrawn from consideration. Claim 1, 14, 15, and 16 are canceled. Claims 2, 13 and 17 are amended. Support for these amendments can be found in the claims as originally filed. No new matter has been added. Claims 2-13, and 17 are currently pending and in condition for allowance.

II. REJECTIONS UNDER 35 USC § 112

The Action rejects (A) claims 1-17 under 35 U.S.C. §112 first paragraph as lacking enablement, (B) claims 1-17 under 35 U.S.C. §112 , second paragraph as indefinite, and (C) claim 2 under 35 U.S.C. §112 , second paragraph as indefinite.

A. Claims 1-17 satisfy the requirements of 35 U.S.C. §112 first paragraph

In light of the currently pending claims this rejection is moot.

B. Claims 1-17 satisfy the requirements of 35 U.S.C. §112, second paragraph

In light of the currently pending claims this rejection is moot.

C. Claim 2 satisfies the requirements of 35 U.S.C. §112 , second paragraph

In light of the currently pending claims this rejection is moot.

III. REJECTIONS UNDER 35 U.S.C. §102

Claims 1-2, 4, 11, and 13-17 are rejected under 35 U.S.C. §102 as being anticipated by Chu *et al.* (1992).

A claim is anticipated only if each and every element as set forth in the claim is found in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987).

Chu *et al.* does not does not describe each and every element the pending claims. Applicants note the R_2 group of the structures claimed in claim 1 is selected from a linear, branched, saturated and/or unsaturated hydrocarbon; a cholesterol moiety; a steroid moiety; an aromatic moiety, or a combination thereof. The R_2 group is not listed as having only a hydrogen group. Applicants request withdrawal of the rejection.

IV. REJECTIONS UNDER 35 U.S.C. §103

Claims 1-7, 11, and 13-17 are rejected under 35 U.S.C. §103 as being obvious in light of Chu *et al.* (1992). Applicants traverse.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) ***must teach or suggest all the claim limitations***. A the reasonable expectation of success must be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

A described above, the Chu *et al.* reference does not teach all of the claim limitations of the currently pending claims, especially a structure within the genus claimed. Furthermore, the Actions argument related to the obviousness of modifying the compound synthesized in Chu *et al.* is misplaced and is at best impermissible hindsight. The only mention of an alleged obviating compound is shown as an intermediate in the synthesis of compound 1 of Chu *et al.* And even then the compound is not within claimed genus due to the deficiency at the R_2 position. Nothing is provided in Chu *et al.* to suggest or motivate one of skill to produce a fatty acid derivative with

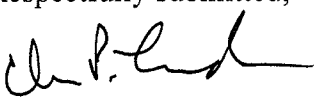
a hydrocarbon etc. at the R_1 and the R_2 position. Furthermore, there is no suggestion of discussion of any physical properties associate with the intermediate in Chu *et al.* Applicants respectfully request the withdrawal of the rejection.

V. CONCLUSION

Applicants believe that the present document is a full and complete response to the Action dated June 28, 2007. The present case is in condition for allowance, and such favorable action is respectfully requested.

The Examiner is invited to contact the undersigned Attorney at (512) 536-3167 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



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